

CASE STUDY # 5: How Collaborative Relationships That Change Over Time Can Impact Conflicts Of Interests – Giving Lectures

Dr. Leber is the HSA who runs the Hepatitis Program in NIDDK. He is asked by Dr. Leiden of Georgetown University to give a lecture on Recent Findings in Hepatitis Research in a graduate course that Dr. Leiden is putting together. Dr. Leber feels that this will not interfere with his NIH duties and would help him maintain his professional standing. When he was a professor before coming to NIH, he had always enjoyed interacting with graduate students. Dr. Leber discusses this with his supervisor and it is agreed that this can be done as an official duty activity. There would be no compensation for this lecture.

Following the lecture, Dr. Leiden and Dr. Leber go to the university cafeteria for lunch. Over lunch they discuss scientific issues of mutual interest. The next week Dr. Leiden contacts Dr. Leber to tell him about the positive feedback he's heard from the students about Dr. Leber's lecture. He mentions that he is going to offer the course during the next semester and invites Dr. Leber back to give the same lecture. After again discussing this with his supervisor, Dr. Leber agrees.

Over the next couple of years, Dr. Leber's lecture becomes a regular part of the course. The post-lecture lunch becomes a tradition as well and Dr. Leber and Dr. Leiden develop a friendship around their mutual scientific interests – they often e-mail each other when they see research articles that they think will interest the other.

One day Dr. Leber sees that Dr. Leiden's new grant application has been referred to his program.

Is he in conflict? Should Dr. Leber be considered in conflict with all applications from Georgetown University?

There are no black-and-white answers to these questions. Certainly, Dr. Leber has developed a personal relationship with Dr. Leiden, but it revolves around scientific discussions. Program Directors have such scientific discussions with PIs all of the time. However, this relationship was described as a "friendship" and most PIs are not friends with their Program Director. In addition, the repeated invitations and lectures given by Dr. Leber in Dr. Leiden's course, even though not involving compensation, could be viewed as a standing professional relationship.

Dr. Leber should discuss this situation with his supervisor. His supervisor and he may find it useful to include the Director of Extramural Activities in their discussions. It would likely be best if Dr. Leber were recused from handling Dr. Leiden's applications. Dr. Leber and his supervisor should also discuss whether the repeated lectures have developed into an ongoing activity that might place him in conflict with Georgetown University applications. He doesn't have the title of Adjunct Professor, which would immediately convey the appearance of a conflict, but, in fact, he is providing an ongoing service to Georgetown University that is more than many adjunct faculty members contribute. It appears that this activity would place him in conflict with the university, and his supervisor must consider the impact this conflict has on Dr. Leber's ability to perform his NIH job.

It may be that Dr. Leber will need to end this activity, or perhaps the frequently repeated nature of it.